

109TH CONGRESS
1ST SESSION

H. R. 584

To authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2005

Mr. POMBO introduced the following bill; which was referred to the Committee on Resources

A BILL

To authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Department of the In-
5 terior Volunteer Recruitment Act of 2005”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to authorize the Secretary
8 of the Interior to recruit and use volunteers to assist with,
9 or facilitate, the programs of the Bureau of Indian Affairs,

1 the United States Geological Survey, the Bureau of Rec-
2 lamation, and the Office of the Secretary.

3 **SEC. 3. VOLUNTEER AUTHORITY.**

4 (a) IN GENERAL.—The Secretary of the Interior may
5 recruit, train, and accept, without regard to the civil serv-
6 ice classification laws, rules, or regulations, the services
7 of individuals, contributed without compensation as volun-
8 teers, for aiding in or facilitating the activities adminis-
9 tered by the Secretary through the Bureau of Indian Af-
10 fairs, the United States Geological Survey, the Bureau of
11 Reclamation, and the Office of the Secretary.

12 (b) RESTRICTIONS ON ACTIVITIES OF VOLUN-
13 TEERS.—

14 (1) IN GENERAL.—In accepting such services of
15 individuals as volunteers, the Secretary shall not
16 permit the use of volunteers in law enforcement
17 work, in regulatory and enforcement work, in policy-
18 making processes, or to displace any employee.

19 (2) PRIVATE PROPERTY.—No volunteer services
20 authorized by this Act may be conducted on private
21 property unless the officer or employee charged with
22 supervising the volunteer obtains appropriate con-
23 sent to enter the property from the property owner.

24 (3) HAZARDOUS DUTY.—The Secretary may ac-
25 cept the services of individuals in hazardous duty

1 only upon a determination by the Secretary that
2 such individuals are skilled in performing hazardous
3 duty activities.

4 (4) SUPERVISION.—The Secretary shall ensure
5 that an appropriate officer or employee of the
6 United States provides adequate and appropriate su-
7 pervision of each volunteer whose services the Sec-
8 retary accepts.

9 (c) PROVISION OF SERVICES AND COSTS.—The Sec-
10 retary may provide for services and costs incidental to the
11 utilization of volunteers, including transportation, sup-
12 plies, uniforms, lodging, subsistence (without regard to
13 place of residence), recruiting, training, supervision, and
14 awards and recognition (including nominal cash awards).

15 (d) FEDERAL EMPLOYMENT STATUS OF VOLUN-
16 TEERS.—

17 (1) Except as otherwise provided in this sub-
18 section, a volunteer shall not be deemed a Federal
19 employee and shall not be subject to the provisions
20 of law relating to Federal employment, including
21 those provisions relating to hours of work, rates of
22 compensation, leave, unemployment compensation,
23 and Federal employee benefits.

24 (2) Volunteers shall be deemed employees of the
25 United States for the purposes of—

1 (A) the tort claims provisions of title 28,
2 United States Code;

3 (B) subchapter I of chapter 81 of title 5,
4 United States Code; and

5 (C) claims relating to damage to, or loss
6 of, personal property of a volunteer incident to
7 volunteer service, in which case the provisions
8 of section 3721 of title 31, United States Code,
9 shall apply.

10 (3) Volunteers under this Act shall be subject
11 to chapter 11 of title 18, United States Code, unless
12 the Secretary, with the concurrence of the Director
13 of the Office of Government Ethics, determines in
14 writing published in the Federal Register that the
15 provisions of that chapter, except section 201, shall
16 not apply to the actions of a class or classes of vol-
17 unteers who carry out only those duties or functions
18 specified in the determination.

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